

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

TARYN CHRISTIAN,)	CIVIL NO. 04-00743 DAE-LEK
)	
Petitioner,)	
)	
vs.)	
)	
CLAYTON FRANK, Director,)	
State of Hawaii, Department)	
of Public Safety,)	
)	
Respondent.)	
_____)	

**ORDER DENYING PETITIONER'S MOTION TO PERMIT
PETITIONER'S TESTIMONY AT EVIDENTIARY HEARING**

Before the Court is Petitioner Taryn Christian's ("Petitioner") Motion to Permit Petitioner's Testimony at Evidentiary Hearing ("Motion"), filed on August 13, 2008. For the reasons stated in this Court's Order Denying Petitioner's Motion to Submit Supplemental Declarations and Affidavits, filed concurrently herewith, Petitioner's Motion is HEREBY DENIED.

The Court further notes that Petitioner's proffer of his proposed testimony is not relevant to the issues that are the subject of the evidentiary hearing, but are more appropriate if and when Petitioner is granted a new trial.

IT IS SO ORDERED.

DATED AT HONOLULU, HAWAII, August 14, 2008.



/S/ Leslie E. Kobayashi

Leslie E. Kobayashi
United States Magistrate Judge

TARYN CHRISTIAN V. CLAYTON FRANK ETC; CIVIL NO. 04-00743 DAE-LEK;
ORDER DENYING PETITIONER'S MOTION TO PERMIT PETITIONER'S
TESTIMONY AT EVIDENTIARY HEARING.